

### **REMARKS**

Claims 1 - 17 were pending in this application.

Claims 1 – 17 were rejected.

#### **I. Request For Clarification**

This application was subject to a final rejection. The Applicant filed an appeal to the final rejection with the appeal brief. The Examiner then withdrew the finality of the last office action rather than submit an Examiner's brief.

The new office action is nearly word-for-word identical to the office action that was made final. No new references were cited and only minor changes were made relating to what claims were included in the different rejections. The Applicant respectfully requests some clarification of why the finality of the last rejection was withdrawn if the references and rejections remain the same. This request is made in the fact that the Applicant was apparently needlessly required to go through the time and expense of filing an appeal brief and that the filing of the appeal has delayed the application by many months.

The Applicant will be filing a separate refund request for the expense of the Notice Of Appeal and Appeals Brief.

#### **II. 35 USC 103 Rejections**

The Examiner has rejected Claims 1, 2 and 6-8 under 35 USC 103(a) as being unpatentable over German Reference No. DE3924736 to Liebchen in view of U.S. Patent No. 5,477,764 to Carrico.

The rejected claims contain two independent claims. These claims are Claim 1 and Claim 6. Both of these claims are fully distinguishable over the combined references, as is explained below.

### Claim 1

Claim 1 sets forth a device for reducing wear in guitar strings in an electric guitar of the type that is strung with guitar strings that terminate with end caps. Such electric guitars have a body that defines a plurality of cylindrical string apertures that are sized to enable the guitar strings, but not the end caps, to pass therethrough.

The present invention device comprises a tubular sleeve that defines a central conduit. The tubular sleeve has a neck section with an external diameter that enables said neck section to pass into any of the cylindrical string apertures in the guitar. The tubular sleeve also has a head section that is sized to be too large to pass through any of the cylindrical string apertures.

The central conduit defined by the tubular sleeve is sized to let the guitar string pass therethrough. The tubular sleeve is placed in one of the cylindrical string apertures and the guitar string is strung through the central conduit of the tubular sleeve. In this manner, the guitar string contacts only the tubular insert as the guitar string passes out of the cylindrical string aperture.

**The Liebchen reference discloses** a large block that is press fit into a slot that is carved in the face of a guitar. All of the guitar strings are attached to the block that is press fit into the guitar. As such, the Liebchen reference can only be used in a specialized guitar that can receive the large press fit block.

As applied to the wording of Claim 1, the Liebchen reference **does not disclose** any device that can be used on an electric guitar having traditional cylindrical string apertures. The Liebchen reference **does not disclose** the use of any tubular sleeve that passes into a traditional cylindrical string aperture of a guitar. Accordingly, the Liebchen reference in no manner discloses the matter of Claim 1 that specifically claims the structure of a tubular sleeve.

The Examiner cites the Carrico patent to address the many deficiencies of the Liebchen reference. The Carrico patent discloses a string anchoring system that functions very differently

from the present invention. In the Carrico system, bores are drilled into the body of a guitar. A first cylindrical element (20) is threaded into the bore. The guitar strings is then threaded through a second cylindrical element (10). The second cylindrical element (10) is then inserted into the first cylindrical element (20) where it is held in place by either friction or a mechanical locking mechanism. Accordingly, the system disclosed by the Carrico patent cannot be retroactively added to an existing guitar unless a person wants to damage the guitar by threading the second cylindrical elements (20) into the wood of the guitar.

The present invention is does not damage the structure of the guitar and can be added to any guitar that is strung through the body of the guitar. The Carrico patent **does not disclose** a guitar body having string apertures that extend between the face surface of the body and the back surface of the body. The Carrico patent **does not disclose** the use of replaceable tubular sleeves that line the string apertures as they extend between the front surface and back surface of the guitar body.

Accordingly, **in combination neither the Liebchen reference nor the Carrico patent** disclose a tubular sleeve having a neck section that enables the neck section to pass into any of the cylindrical string apertures of a guitar. The Liebchen reference does not disclose any tubular sleeve and the Carrico patent only discloses a second cylindrical section (20) that must be threaded into the material of the guitar.

Furthermore, neither the Liebchen reference nor the Carrico patent disclose a tubular sleeve that is placed in one of the cylindrical string apertures of a guitar, where the guitar is strung from the rear surface of the guitar through the central conduit of the tubular sleeve.

Since the matter contained in Claim 1 is clearly not disclosed in either the Liebchen reference or the Carrico patent, it is clear that the combination does not render obvious the matter of Claim 1 and it independent claims. The Examiner's rejection should therefore be withdrawn

#### Claim 6

Claim 6 sets forth a method of reducing wear and stress on guitar strings in a guitar of the type having a body with a front surface and a back surface, wherein a plurality of string apertures extend through the guitar between the front surface and the back surface. The guitar is strung by passing guitar strings with end caps through the string apertures.

The claimed method includes placing tubular sleeves within each of the string apertures in the electric guitar. The guitar strings are advanced through the tubular sleeves while stringing the guitar, wherein each of the guitar strings is biased against a tubular sleeve when the guitar is strung.

Neither the Liebchen reference nor the Carrico patent discloses a method of stringing the type of guitar mention in Claim 6. Furthermore, neither reference discloses the step of advancing strings through the claimed tubular sleeves while the guitar is being strung. Rather in both the Liebchen reference and the Carrico patent, the devices disclosed serve as the anchor to the guitar strings, they are not structures through which the guitar strings pass as the guitar is being normally strung.

Since the matter contained in Claim 6 is clearly not disclosed in either the Liebchen reference or the Carrico patent, it is clear that the combination does not render obvious the matter of Claim 6 and it independent claims. The Examiner's rejection should therefore be withdrawn .

**The Examiner rejected Claims 12-14 under 35 USC 103(a) as being unpatentable over Fig. 2 of the application in further view of Carrico.**

Claim 12 is an independent claim that sets forth a guitar. The guitar has a body with both a front surface and a rear surface. The body defines a plurality of string apertures that extend unobstructed between the front surface and said back surface. A neck extends from the

body. Tuning mechanisms are supported by the neck of the guitar. Replaceable tubular sleeves line the string apertures in the guitar. The strings of the guitar extend through the tubular sleeves in said string apertures. The tuning mechanisms pull the strings taut and cause the strings to bend about and contact the tubular sleeves that line the string apertures.

The prior art disclosed in Fig. 2 of the present applications shows a traditional electric guitar stringing configuration. The prior art does not disclose the use of tubular sleeves to relieve stress in the guitar strings as they are tightened and biased against the structure of the guitar.

The Carrico patent discloses a string anchoring system that functions very differently from the present invention. In the Carrico system, bores are drilled into the body of a guitar. A first cylindrical element (20) is threaded into the bore. The guitar strings is then threaded through a second cylindrical element (10). The second cylindrical element (10) is then inserted into the first cylindrical element (20) where it is held in place by either friction or a mechanical locking mechanism. Accordingly, the system disclosed by the Carrico patent cannot be retroactively added to an existing guitar unless a person wants to damage the guitar by threading the second cylindrical elements (20) into the wood of the guitar.

The present invention is does not damage the structure of the guitar and can be added to any guitar that is strung through the body of the guitar. The Carrico patent **does not disclose** a guitar body having string apertures that extend between the face surface of the body and the back surface of the body. The Carrico patent **does not disclose** the use of replaceable tubular sleeves that line the string apertures as they extend between the front surface and back surface of the guitar body.

Accordingly, **in combination neither the admitted prior art nor the Carrico patent** disclose a tubular sleeve having a neck section that enables the neck section to pass into any of the cylindrical string apertures of a guitar. Furthermore, neither the admitted prior art nor the

Carrico patent disclose a tubular sleeve that is placed in one of the cylindrical string apertures of a guitar, where the guitar is strung from the rear surface of the guitar through the central conduit of the tubular sleeve.

Since the matter contained in Claim 1 is clearly not disclosed in either the admitted prior art or the Carrico patent, it is clear that the combination does not render obvious the matter of Claim 1 and its independent claims. The Examiner's rejection should therefore be withdrawn.

**The Examiner rejected Claims 3-4 and 9-10 under 35 USC 103(a) as being unpatentable over German Reference No. DE3924736 to Liebchen in view of U.S. Patent No. 5,477,764 to Carrico and U.S. Patent No. 4,535,670 to Borisoff.**

Claims 3 and 4 depend from independent Claim 1. Claims 9 and 10 depend from independent Claim 6.

Claims 3, 4, 9 and 10 specify the materials that can be used to form the tubular elements of the present invention.

Claim 1 and Claim 6 are distinguishable over the combined Liebchen and Carrico patents for the reasons previously presented. The addition of the Borisoff patent does not address the deficiencies of the Liebchen and Carrico patents as applied to the matter of Claim 1 or Claim 6.

The Borisoff patent discloses a string bender (68) that contacts a sleeve (64) on a guitar string. The Borisoff patent does not disclose or suggest the use of any tubular sleeve that passes into a traditional cylindrical string aperture of a guitar sleeve to prevent stresses in the guitar string as the guitar string bends toward the neck of the guitar. Since this matter is also not disclosed in the Liebchen and Carrico patents, it is clear that the combination of Liebchen, Carrico and Borisoff fails to disclose the matter of Claim 1 and Claim 6. Claims 2, 4, 9 and 10

are therefore believed to be allowable since they depend from and further define an allowable base claim.

**The Examiner rejected Claims 5 and 11 under 35 USC 103(a) as being unpatentable over German Reference No. DE3924736 to Liebchen in view of U.S. Patent No. 5,477,764 to Carrico and U.S. Patent No. 5,227,571 to Cipriani**

Claim 5 depends from independent Claim 1. Claim 11 depends from independent Claim 6.

Claims 5 and 11 specify the materials that can be used to form the tubular elements of the present invention.

Claim 1 and Claim 6 are distinguishable over the combined Liebchen and Carrico patents for the reasons previously presented. The addition of the Cipriani patent does not address the deficiencies of the Liebchen and Carrico patents as applied to the matter of Claim 1 or Claim 6.

The Cipriani patent discloses a guitar saddle that is made from aluminum. The Cipriani patent does not disclose or suggest the use of any tubular sleeve that passes into a traditional cylindrical string aperture of a guitar sleeve to prevent stresses in the guitar string as the guitar string bends toward the neck of the guitar. Since this matter is also not disclosed in the Liebchen and Carrico patents, it is clear that the combination of Liebchen, Carrico and Cipriani fails to disclose the matter of Claim 1 and Claim 6. Claims 5 and 11 are therefore believed to be allowable since they depend from and further define an allowable base claim.

**The Examiner rejected Claims 15 and 16 under 35 USC 103(a) as being unpatentable over Fig. 2 of the application in further view of German Reference No. DE3924736 to Liebchen in further view of U.S. Patent No. 4,535,670 to Borisoff.**

Claims 15 and 16 depend from independent Claim 12.

Claims 15 and 16 specify the materials that can be used to form the tubular elements of the present invention.

Claim 12 is distinguishable over the combination of the admitted prior art and the Liebchen patent for the reasons previously presented. The addition of the Borisoff patent does not address the deficiencies of the combination as applied to the matter of Claim 12.

The Borisoff patent discloses a string bender (68) that contacts a sleeve (64) on a guitar string. The Borisoff patent does not disclose or suggest the use of any tubular sleeve that passes into a traditional cylindrical string aperture of a guitar sleeve to prevent stresses in the guitar string as the guitar string bends toward the neck of the guitar. Since this matter is also not disclosed in the admitted prior art or the Liebchen patent, it is clear that the combination of the admitted prior art, Liebchen and Borisoff fails to disclose the matter of Claim 12. Claim 12 is therefore believed to be allowable since they depend from and further define an allowable base claim.

**The Examiner rejected Claim 17 under 35 USC 103(a) as being unpatentable over Fig. 2 of the application in further view of German Reference No. DE3924736 to Liebchen in further view of U.S. Patent No. 5,227,571 to Cipriani.**

Claim 17 depends from independent Claim 12.

Claim 17 specifies the materials that can be used to form the tubular elements of the present invention.

Claim 12 is distinguishable over the combination of the admitted prior art and the Liebchen patent for the reasons previously presented. The addition of the Cipriani patent does not address the deficiencies of the combination as applied to the matter of Claim 12.

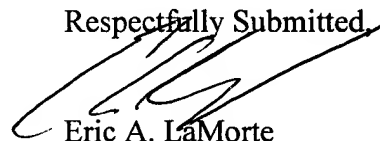


The Cipriani patent discloses a guitar saddle that is made from aluminum. The Cipriani patent does not disclose or suggest the use of any tubular sleeve that passes into a traditional cylindrical string aperture of a guitar sleeve to prevent stresses in the guitar string as the guitar string bends toward the neck of the guitar. Since this matter is also not disclosed in the admitted prior art or the Liebchen patents, it is clear that the combination of the admitted prior art, Liebchen and Cipriani fails to disclose the matter of Claim 12. Claim 12 is therefore believed to be allowable since it depends from and further defines an allowable base claim.

## **II. SUMMARY**

Having fully distinguished the pending claims over the cited art, this application is believed to stand in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Examiner is requested to call the applicant's attorney at (215) 321-6772 in order that any outstanding issues may be resolved without the necessity of issuing a further Office Action.

Respectfully Submitted,



Eric A. LaMorte  
Reg. No. 34,653  
Attorney For Applicant